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EXAMINER	
JERABEK, KELLY L	

ART UNIT	PAPER NUMBER
2612	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/780,839	FISHER ET AL.	
	Examiner	Art Unit	
	Kelly L. Jerabek	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 November 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-42* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-42* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☑ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to Steinberg et al. US 6,006,039 and claims 1-4, 6-13, 15, 18, 21-24, 26-33, 35, and 38 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments filed 11/14/2005 have been fully considered but they are not persuasive.

Response to Remarks:

Applicant's arguments regarding claim 1 (Amendment page 15) state that the Miller reference fails to disclose a system user selectively accessing downloaded content information from a data destination. The Examiner respectfully disagrees. Miller discloses a system for managing content information, comprising: peripheral devices (2A-2N) configured to capture content information (digital image data); and an image hub (20) configured to transfer the content information (digital image data) from the peripheral devices (2A-2N) to data destinations (40A-40N) from which a system user accesses the content information (digital image data) (col. 10, lines 1-59; col. 12, lines 51-67; figs. 1-4). **Miller specifically states that a user will be able to access**

content information (digital image data) by using remote terminal (40A) to connect any communicate with hub station (20) (col. 12, lines 51-56). Thus, Miller teaches a system user selectively accessing downloaded content information from a data destination (40A).

Applicant's arguments regarding claim 1 (Amendment page 16) state that the Miller reference teaches downloading only "digital images" while Applicants' specifically claim downloading "content information". Applicants further state that since "content information" is a significantly broader category than "digital images" the type of information being downloaded in their invention is different from the "digital images" disclosed by Miller. The Examiner respectfully disagrees. Applicants admit that "content information" is a significantly broader term then "digital images". Therefore, it is clear that the "digital images" disclosed by Miller qualify as the claimed "content information". Additionally, the applicant's specification states "When the download manager detects a download request, then the download manager may preferably transfer the particular **content information (including captured image data)** from the camera device to the image hub" (Specification: page 3, lines 12-14). Thus, it can be seen that the claimed "content information" includes "image data". It is the Examiner's conclusion that the term "content information" is a relatively broad term and the digital images disclosed by Miller are being read as "content information".

Applicant's arguments regarding claim 1 (Amendment page 16) state that the Miller reference nowhere discloses a "peripheral device having a transfer capability to transfer said content information only to said image hub". The Examiner respectfully disagrees. **Applicant's specification states that "In practice, camera device (610) is exclusively dedicated to image hub (110) because all image data that is captured by camera device (610) may only be accessed and utilized by a system user through image hub (110).** Miller discloses a system for managing content information, comprising: peripheral devices (2A-2N) configured to capture content information (digital image data); and an image hub (20) configured to transfer the content information (digital image data) from the peripheral devices (2A-2N) to data destinations (40A-40N) from which a system user accesses the content information (digital image data) (col. 10, lines 1-59; col. 12, lines 51-67; figs. 1-4). **Miller states that the only means of transferring content information (digital image data) from peripheral devices (2A-2N) to a data destination (40A – 40N) to be accessed and utilized by a system user is through image hub (20) via connections (10,30; figs. 1, 4) (col. 10, lines 1-52). Thus it can be seen that Miller discloses peripheral devices (2A-2N) having a transfer capability to transfer said content information (digital images) only to said image hub (20).**

Applicant's arguments regarding claim 42 (Amendment page 16) state that since "means-plus-function" language is used, in light of the substantial differences between

the teachings of Miller and Applicant's invention as disclosed in the Specification, claim 42 is not anticipated by Miller. The Examiner respectfully disagrees.

The language of claim 42 is as follows: " A system for managing content information, comprising:

means for capturing said content information ;

means for transferring said content information from said means for capturing to a data destination; and

means for accessing said content information from said data destination by a system user".

Applicant's specification provides means for capturing said content information which include a camera or a scanner. Correspondingly, the Miller reference provides means for capturing content information (2A-2N) which may be a scanner or a digital camera (col. 10, lines 1-59). Also, the content information consists of digital image signals, associated ID signal, and associated category information (col. 12, lines 28-50). Therefore, the claimed limitation is found by the Examiner to be anticipated by the prior art element.

Additionally, applicant's specification provides means for transferring said content information from said means for capturing to a data destination. Correspondingly, the Miller reference provides means for transferring (hub 20) said content information from said means for capturing (2A-2N) to a data destination (40A-40N) (col. 10, lines 1-52).

Therefore, the claimed limitation is found by the Examiner to be anticipated by the prior art element.

Additionally, applicant's specification provides means for accessing said content information from said data destination by a system user. Correspondingly, the Miller reference provides means for accessing (30) said content information (digital image data) from said data destination (40A-40N) by a system user (col. 12, lines 51-67). Therefore, the claimed limitation is found by the Examiner to be anticipated by the prior art element.

Based on the foregoing comparisons, it is demonstrated that each of the claimed limitations are also found within the Miller reference, and therefore the rejection of claim 42 is maintained. It is noted by the Examiner that the Applicants have not particularly directed or expressly indicated any of the specific claim limitations of claim 42 asserted to have not been taught or anticipated in their most recent response.

Applicant's arguments (Amendment page 18) refer to the **Dodson** reference. However, this reference is not of record and therefore all arguments regarding the **Dodson** reference are moot.

Applicant's arguments regarding claims 5, 14, 25, and 34 (Amendment page 19) state that the Takahashi reference nowhere teaches "said image hub providing a sole

power source for recharging a power supply in said peripheral device". The Examiner respectfully disagrees. Takahashi discloses in figure 1 an image-sensing device (117) that is capable of being connected to a printer (118). The Examiner is reading the image-sensing device (117) as a peripheral device and the printer (118) as an image hub. **When the printer (118) is connected to the peripheral device (117) and it is confirmed that the power supply capacity from the printer (hub) is large enough to operate the digital image sensing device (peripheral device), the power supply of the digital image sensing device (119) is switched from a battery to that of the printer and when the remaining charge on the battery is small the printer (hub) charges the battery of the camera (peripheral device) (col. 3, lines 29-59). Thus, it can be seen that an image hub (printer) provides a sole power source for recharging a power supply (battery) in said peripheral device (camera).**

Applicant's arguments regarding claims 5, 14, 25, and 34 (Amendment page 19) state that the Takahashi reference fails to disclose "said image hub also providing a sole transfer means for downloading said content information from said peripheral device". This argument is moot because the Miller reference teaches an image hub providing a sole transfer means for downloading content information from a peripheral device.

Applicant's arguments regarding claims 5, 14, 25, and 34) (Amendment page 20) state that the motivation to combine the Takahashi reference is a restatement

of the advantages disclosed by the Applicants. The Examiner respectfully disagrees. The motivation provided by the Examiner "Doing so would provide a means for preventing battery consumption or short battery during the transport of image data" was taken directly from the Takahashi reference and is therefore not a restatement of the advantages disclosed by the Applicants (Takahashi: col. 1, lines 40-45).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 4, 10-13, 15-22, 24, 30-33, and 35 are rejected under 35 U.S.C. 102(b) as being anticipated by Miller et al. US 5,949,551.

Re claims 1, 21 and 41, Miller discloses a system for managing content information, comprising: peripheral devices (2A-2N) configured to capture content information (digital image data); and an image hub (20) configured to transfer the content information (digital image data) from the peripheral devices (2A-2N) to data destinations (40A-40N) from which a system user accesses the content information

(digital image data) (col. 10, lines 1-59; col. 12, lines 51-67; figs. 1-4). Miller states that the only means of transferring content information (digital image data) from peripheral devices (2A-2N) to a data destination (40A – 40N) to be accessed and utilized by a system user is through image hub (20) via connections (10,30; figs. 1, 4) (col. 10, lines 1-52). Thus it can be seen that Miller discloses peripheral devices (2A-2N) having a transfer capability to transfer said content information (digital images) only to said image hub (20). Additionally, terminals (40A-40N) include hardware and software to perform the communication operations (col. 10, lines 30-52). Therefore, a computer readable medium comprising program instructions for managing content information is disclosed.

Re claim 2 and 22, Miller states that peripheral devices (2A-2N) may include a digital camera (col. 10, lines 53-59).

Re claim 4 and 24, Miller states that the data destination (40A-40N) includes a user accessible service coupled to a distributed computer network (30) (col. 10, lines 30-52; col. 12, lines 51-67).

Re claims 10 and 30, Miller states that the content information includes image data (digital image data) that corresponds to an image that was captured by said peripheral device (2A-2N), and a corresponding descriptor (ID signal) that identifies image data as being captured by the peripheral device (2A-2N) (col. 12, lines 28-50).

Re claims 11 and 31, Miller states that a peripheral device (2A-2N) includes a data capture subsystem (CCD), a viewfinder, and a control module including a buffer memory of limited size (electronic storage medium) (col. 10, lines 53-59; col. 5, lines 2-14).

Re claims 12-13 and 32-33, Miller states that states that the peripheral devices (2A-2N) are connected to the image hub (20) in order to download image data to the image hub (20) for processing (col. 10, lines 1-52; col. 12, lines 51-67).

Re claims 15 and 35, Miller states that an application software program in the image hub (20) determines management functions for handling the image information (col. 10, lines 20-52; col. 12, lines 51-67).

Re claims 16 and 36, Miller states that the image management functions performed by the image hub (20) include a data routing function for transferring the content information (image data) from the image hub (20) to data destinations (40A-40N) using a wireless communications data transfer or a hard-wired network data transfer (col. 10, lines 20-52; col. 12, lines 51-67).

Re claims 17 and 37, Miller states that a data routing function is selected from recognizing an routing said content information (digital image data) based upon a camera identification (camera ID) parameter that is programmed into said peripheral

device (2A-2N) and detected by said upload manager, marking said content information (digital image data) with an image identifier tag that is recognized and utilized by either said image hub (20) or said data destination (40A-40N) to subsequently provide said content information (digital image data) to said system user, routing said content information (digital image data) to said data destination (40A-40N) based upon a hub identifier value corresponding to said image hub (20), and routing said content information (digital image data) to said data destination (40A-40N) based upon destination information entered into said image hub (20) by said system user or by a system operator (col. 12, lines 28-67).

Re claims 18 and 38, Miller states that image management functions include a data editing function in which an editing module in said image hub (20) modifies said content information (digital image data) (col. 13, lines 13-31), and an image selection function in which an image selection manager in said image hub (20) permits said system user to select and order one or more images from said content information (digital image data) by using said image hub (20) (col. 12, line 51 – col. 13, line 12).

Re claims 19 and 39, Miller states that the image hub (20) determines whether valid conditions exist for performing image management functions and presents an error message (inquiries are sent) if valid conditions do not exist and executes the image management functions if valid conditions do exist (col. 14, lines 8-67).

Re claims 20 and 40, Miller states that a system user accesses content information (image data) from data destinations (40A-40N) and performs data editing, data manipulation, and data ordering procedures on the content information (image data) (col. 13, lines 13-31).

Re claim 42, Applicant's specification provides means for capturing said content information which include a camera or a scanner. Correspondingly, the Miller reference provides means for capturing content information (2A-2N) which may be a scanner or a digital camera (col. 10, lines 1-59). Also, the content information consists of digital image signals, associated ID signal, and associated category information (col. 12, lines 28-50). Therefore, the claimed limitation is found by the Examiner to be anticipated by the prior art element.

Additionally, applicant's specification provides means for transferring said content information from said means for capturing to a data destination. Correspondingly, the Miller reference provides means for transferring (hub 20) said content information from said means for capturing (2A-2N) to a data destination (40A-40N) (col. 10, lines 1-52). Therefore, the claimed limitation is found by the Examiner to be anticipated by the prior art element.

Additionally, applicant's specification provides means for accessing said content information from said data destination by a system user. Correspondingly, the Miller

reference provides means for accessing (30) said content information (digital image data) from said data destination (40A-40N) by a system user (col. 12, lines 51-67). Therefore, the claimed limitation is found by the Examiner to be anticipated by the prior art element.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. in view of Strandwitz et al. US 6,522,352.

Re claims 3 and 23, Miller discloses all of the limitations of claim 1 above including content information (digital image data) that is transferred to an image hub. However, the Miller reference fails to distinctly state that the content information that is transferred to an image hub includes audio data, text data, and graphics data in addition to digital image data.

Strandwitz discloses in figure 4 a wireless camera device communicating over a wideband radio channel to a wireless multi-media gateway as well as other devices. Strandwitz states that the wireless camera is capable of transmitting video, still images, audio, data, graphics, and text (col. 6, line 48-col. 7, line 19). Therefore, it would have been obvious for one skilled in the art to have been motivated to transmit audio, text, and graphics data with image data as disclosed by Strandwitz using the image hub disclosed by Miller. Doing so would provide a means for transmitting image data and other data such as audio and text in order to transmit a video signal.

Claims 5-9, 14, 25-29, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. in view of Takahashi et al. US 6,580,460.

Re claims 5, 14, 25 and 34, Miller discloses a system for managing content information, comprising: peripheral devices (2A-2N) configured to capture content information (digital image data); and an image hub (20) configured to transfer the content information (digital image data) from the peripheral devices (2A-2N) to data destinations (40A-40N) from which a system user accesses the content information (digital image data) (col. 10, lines 1-59; col. 12, lines 51-67; figs. 1-4). Miller states that the only means of transferring content information (digital image data) from peripheral devices (2A-2N) to a data destination (40A – 40N) to be accessed and utilized by a system user is through image hub (20) via connections (10,30; figs. 1, 4) (col. 10, lines 1-52). Thus it can be seen that Miller discloses peripheral devices (2A-2N) having a

transfer capability to transfer said content information (digital images) only to said image hub (20) (sole transfer means). However, although the Miller reference states that a peripheral device may be connected to an image hub it fails to state that the image hub provides a power source for recharging a power supply in the peripheral device.

Takahashi discloses in figure 1 an image-sensing device (117) that is capable of being connected to a printer (118). The Examiner is reading the image-sensing device (117) as a peripheral device and the printer (118) as an image hub. When the printer (118) is connected to the peripheral device (117) and it is confirmed that the power supply capacity from the printer (hub) is large enough to operate the digital image sensing device (peripheral device), the power supply of the digital image sensing device (119) is switched from a battery to that of the printer and when the remaining charge on the battery is small the printer (hub) charges the battery of the camera (peripheral device) (col. 3, lines 29-59). Thus, it can be seen that an image hub (printer) provides a sole power source for recharging a power supply (battery) in said peripheral device (camera). Therefore, it would have been obvious for one skilled in the art to have been motivated to include the concept of using a device that is connected to a peripheral device to recharge the power supply of the peripheral device as disclosed by Takahashi in the image handling system disclosed by Miller. Doing so would provide a means for preventing battery consumption or short battery during the transport of image data (Takahashi: col. 1, lines 40-45).

Re claims 6 and 26, the Takahashi reference discloses an image hub (printer 118) that includes a recharger module (col. 3, lines 29-59). The Miller reference discloses an image hub (20) that is a digital computer (central processing unit such as a workstation that includes a memory and input/output interfaces (communication means) (col. 10, lines 1-52). However, although Miller discloses an image hub (20) that is a digital computer it fails to specifically state that the digital computer includes a display, and a user interface. The Examiner takes **Official Notice** that computers including displays, and user interfaces are well known and used in the art. Therefore, it would have been obvious for one skilled in the art to have been motivated to include a display, and a user interface in the digital computer used as an image hub in the Miller reference. Doing so would provide a means for allowing a user of the workstation to view data and control operation of the image hub from an image hub workstation.

Re claims 7 and 27, the Takahashi reference states that the printer (118) includes a recharge manager (119) (col. 3, lines 29-59; col. 13, line 1 - col. 14, line 27). The Miller reference discloses an image hub (20) that is a digital computer (central processing unit such as a workstation that includes a memory (col. 10, lines 1-52). Miller further states that the computer is programmed to execute steps and the memory stores image data (col. 10, lines 1-29). However, the Miller reference fails to specifically state that the memory includes application software, and operating system, a network browser, and a display manager. The Examiner takes **Official Notice** that it is well known in the art that computers include application software, operating systems,

network browsers, and display managers. Therefore, it would have been obvious for one skilled in the art to have been motivated to include application software, an operating system, a network browser, and a display manager in the digital computer used as an image hub in the Miller reference. Doing so would provide a means for allowing a user of the workstation to view data and control operation of the image hub from an image hub workstation.

Re claims 8 and 28, the Miller references discloses a download manager (for transferring via connection 10), an upload manager (for transferring via connection 30), and editing module, a data manager, miscellaneous routines, and an image selection manager (col. 10, lines 1-52; col. 12, line 28 – col. 13, line 31).

Re claims 9 and 29, the Takahashi reference states that the printer (118) includes a recharge connector interface (119) (col. 3, lines 29-59; col. 13, line 1 - col. 14, line 27). The Miller reference discloses an image hub (20) that is a digital computer (central processing unit such as a workstation that includes input/output interfaces (communication means) (col. 10, lines 1-52). The input/output interfaces include a network interface (modem), a host computer interface (third communication I/F), and a camera connector interface (second communication I/F). However, although Miller discloses an image hub (20) that is a digital computer including the above listed interfaces it fails to specifically state that the digital computer a photographic printer interface, a wireless communications interface, a removable storage media interface,

and a status indicator interface. The Examiner takes **Official Notice** that computers including a photographic printer interface, a wireless communications interface, a removable storage media interface, and a status indicator interface are well known and used in the art. Therefore, it would have been obvious for one skilled in the art to have been motivated to include multiple interfaces in the digital computer used as an image hub in the Miller reference. Doing so would provide a means for allowing a user of the workstation to control operation of the image hub and perform multiple tasks from an image hub workstation.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Manowitz et al. (US 2004/0208476) discloses a digital camera system. The information regarding a digital camera having a sole way to distribute image data is relevant material.

Contacts

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelly L. Jerabek whose telephone number is **(571) 272-7312**. The examiner can normally be reached on Monday - Friday (8:00 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc Yen Vu can be reached on **(571) 272-7320**. The fax phone number for submitting all Official communications is 703-872-9306. The fax phone number for submitting informal communications such as drafts, proposed amendments, etc., may be faxed directly to the Examiner at **(571) 273-7312**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KLJ

NGOC-YEN VU
PRIMARY EXAMINER